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AGRICULTURAL RESEARCH ADMINISTRATION

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

SERVICE AND REGULATORY ANNOUNCEMENTS [1]

JANUARY–MARCH 1950

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[1] Edited by Ralph W. Sherman, Office of the Assistant Chief in Charge of Regulatory Work.

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO BLACK STEM RUST QUARANTINE (NO. 38)

B. E. P. Q.—Q. 38 Revision of Regulations Nos. 1, 6, 7, 8, and 9
Effective February 11, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

AMENDMENTS TO REGULATIONS SUPPLEMENTAL TO BLACK STEM RUST QUARANTINE

On October 18, 1949, there was published in the Federal Register (14 F. R. 6334), a notice of proposed rule making to amend certain regulations supplemental to Notice of Quarantine No. 38 relating to the black stem rust (7 C. F. R. § 301.38–1, et seq.; 14 F. R. 999). Supplementing the amendments proposed in the notice, it is necessary to amend § 301.38–1 by rephrasing subparagraph (j) and adding a subparagraph (k) thereto to conform with the other amended regulations. After due consideration of all relevant matters presented, including the proposals set forth in the notice, and pursuant to the authority conferred upon me by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), §§ 301.38–1 (j), 301.38–6, 301.38–7, 301.38–8, and 301.38–9 are hereby amended and § 301.38–1 (k) is added to read as follows:

§ 301.38–1 *Definitions.* * * *

* * * * * * *

(*j*) *Permit.*—An official document for attachment to the outside of a container of seeds or fruits of barberry, mahonia, or mahoberberis, authorizing the interstate movement of such articles.

(*k*) *Certificate of inspection.*—An official document certifying to the eligibility for interstate movement of regulated products from a nursery inspected in accordance with the provisions of § 301.38–7.

§ 301.38–6 *Conditions of movement.*—(*a*) *Barberry, mahonia, and mahoberberis plants.*—(1) Movement is prohibited of barberry, mahonia, and mahoberberis plants, other than those designated as rust-resistant, except that parts of mahonia plants without roots intended for decorative purposes are hereby exempted from the requirements of the regulations in this subpart. Movement is also prohibited of rust-resistant barberry and mahoberberis plants of less than two seasons' growth.

(2) Nurseries to which certificates of inspection have been issued are authorized to move rust-resistant plants in compliance with the regulations in this subpart.

(3) Dealers who agree to handle for sale or distribution only rust-resistant plants obtained from nurseries which, at the time the plants are delivered to them, possess valid certificates of inspection may be authorized in writing to move such plants in compliance with the regulations in this subpart. Such dealers may also be authorized to move such plants when secured from other authorized dealers.

(*b*) *Barberry, mahonia, and mahoberberis seeds and fruits.*—(1) Movement of seeds and fruits of barberry, mahonia, and mahoberberis plants into the eradication States is prohibited from any point outside thereof.

(2) Seeds and fruits of barberry, mahonia, and mahoberberis plants may be moved between the eradication States, provided they are obtained from rust-resistant plants for which a current, valid certificate of inspection has been issued and provided they are accompanied by permits issued in compliance with the regulations in this part. The movement of barberry, mahonia, and mahoberberis seeds and fruits from the eradication States to points outside thereof is no longer regulated.

(3) Seeds and fruits of barberry, mahonia, and mahoberberis plants may be moved between States other than the eradication States without regulation. Plants produced from such seeds may be moved only in compliance with the regulations in this subpart, and growers should recognize this in selecting seed sources.

§ 301.38–7 *Conditions governing issuance of certificates of inspection, permits, or authorization for movement of regulated products.*—(*a*) *Barberry, mahonia, and mahoberberis plants.*—Certificates of inspection will be issued to nurserymen after determination by an inspector that no barberry, mahonia, or mahoberberis plants other than those that are rust-resistant are growing in the nursery or in the environs thereof. If barberry, mahonia, or mahoberberis plants not designated as rust-resistant are found in the nursery or in the environs thereof, certificates of inspection will be withheld until such plants have been eliminated to the satisfaction of the inspector, except that certificates of inspection may be issued to nurseries having in the nursery or environs thereof varieties of barberry, mahonia, or mahoberberis plants being held by the nurserymen under agreement with the Bureau of Entomology and Plant Quarantine pending the outcome of studies by that Bureau to determine whether they are rust-resistant. Plants so held must, in the inspector's judgment, be adequately segregated from rust-resistant plants eligible for movement and must not be propagated or moved interstate until they have been designated as rust-resistant.

(*b*) *Barberry, mahonia, and mahoberberis seeds and fruits.*—Certificates of inspection covering plants to be used as sources of seeds or fruits for movement between the eradication States and permits to accompany shipments of seeds and fruits from such sources, may be issued after an inspector has made an inspection of such plants and determined that they are rust-resistant and are growing in nurseries or locations which with their environs are free of plants which are not rust-resistant.

(*c*) *Applications for inspection and permits.*—(1) Applications for nursery and seed-source inspection and permits should be made to the Bureau of Entomology and Plant Quarantine, Washington 25, D. C., before May 15 annually, to permit time for inspection during the current growing season.

(2) Except under the special conditions contained in paragraph (a) of this section, a nurseryman who applies for inspection shall agree that, if issued a certificate of inspection, any barberry, mahonia, or mahoberberis plants he may bring into or maintain in his nursery, or distribute will be rust-resistant plants.

(3) Dealers who apply for authorization to move rust-resistant plants shall agree that they will move only such barberry, mahonia, or mahoberberis plants as are designated by the Chief of the Bureau of Entomology and Plant Quarantine as rust-resistant and are obtained from authorized dealers or from nurserymen having currently valid certificates of inspection. Such dealers shall maintain for two shipping seasons complete records of purchases and sales of such plants, and such records shall be available for examination by an inspector at any reasonable time.

(4) Applicants for inspection of plants to be used as sources of seeds and fruits to be moved between the eradication States and for permits to accompany such shipments shall agree that they will obtain their seeds and fruits only from rust-resistant plants growing within the eradication States in locations determined by the inspector as free of plants which are not rust-resistant. The applicant shall state the locations of sources from which such seeds or fruits are to be obtained.

(*d*) *Identification of species.*—Applicants for certificates of inspection, permits, and authorizations for movement of regulated products shall furnish the inspector with such specimens or other evidence as he may require, and the inspector may make such inspections as he shall deem necessary in order to identify the species, horticultural varieties, or hybrids of barberry, mahonia, or mahoberberis grown or moved.

§ 301.38–8 *Suspension and cancellation of certificates of inspection, permits, or authorization to move regulated products.*—The use of certificates of inspection, permits, and authorizations to move regulated products under the regulations in this subpart may be suspended for a period not to exceed 10 days, upon written notice by the inspector, either for any failure of compliance with the provisions of the regulations in this subpart or violation of them. Coincident with issuing notice of suspension the inspector shall inform the authorized dealer or holder of permits or certificate of inspection of the reason for suspending use and shall advise him what action he may take to achieve such compliance. If, during the 10-day period, such dealer or holder has achieved compliance, the suspension will be revoked. If, after a period of 10 days, the dealer or holder has not taken action satisfactory to the inspector to achieve compliance, further use of such authorization, permits, or certificate may be cancelled upon written notice by the inspector.

§ 301.38–9 *Labeling shipments and use of permits.*—Each shipment of plants, seeds, or fruits, the movement of which is regulated by the regulations in this subpart, shall be plainly marked with the name and address of the consignor, and each package, bundle, or other unit of plants, seeds, or fruits contained in such shipment shall be plainly labeled as to the species or horticultural variety thereof. In addition, each shipment of seeds or fruits for which a permit is required by these regulations shall bear, securely attached to the outside thereof, a valid permit issued in compliance with these regulations.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

These amendments shall be effective February 11, 1950.

The purposes of these amendments are as follows: to eliminate the requirement for the attachment of a permit to each interstate shipment of regulated plants, thus saving work and expense on the part of nurseries authorized to make such shipments; and to provide authorization for nurseries to ship rust-resistant barberry, mahonia, and mahoberberis plants while holding on their premises under agreement varieties of plants pending the outcome of studies by the Bureau of Entomology and Plant Quarantine to determine whether they are rust-resistant. All of the changes made are for the purpose of relieving restrictions heretofore imposed. Accordingly the amendment is within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after its publication in the Federal Register.

Done at Washington, D. C., this 7th day of February 1950. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

A. J. LOVELAND,
Acting Secretary of Agriculture.

[Filed with the Division of the Federal Register, February 10, 1950, 8:55 a. m.; 15 F. R. 757.]

INSTRUCTIONS TO POSTMASTERS

BLACK STEM RUST QUARANTINE AFFECTING BARBERRY, OR MAHONIA PLANTS

* * * * * * *

[Then follows the text of the amended regulations as effective February 11, 1950.]

It is the duty of every postmaster to cooperate in the enforcement of plant quarantine and quarantine regulations as will be understood from the provisions of section 35.27, Postal Laws and Regulations.

The foregoing instructions supersede those which appeared in the Postal Bulletin of May 12, 1949.

JOSEPH J. LAWLER,
Assistant Postmaster General.

(Reprint of notice which appeared in The Postal Bulletin of April 18, 1950.)

ANNOUNCEMENTS RELATING TO FRUIT AND VEGETABLE QUARANTINE (NO. 56)

B. E. P. Q. 587 Effective March 9, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS AUTHORIZING THE IMPORTATION FROM FOREIGN COUNTRIES OF FROZEN FRUITS AND VEGETABLES

On January 21, 1950, notice of proposed issuance of administrative instructions to be designated as 7 C. F. R. 319.56–2c relating to the importation from foreign countries of frozen fruits and vegetables was published in the Federal Register (15 F. R. 365). After due consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority conferred upon him by § 319.56–2 of the regulations supplemental to the Fruit and Vegetable Quarantine (Notice of Quarantine No. 56, 7 C. F. R. 319.56) under section 5 of the Plant Quarantine Act of 1912 (7 U. S. C. 159), hereby issues revised administrative instructions to appear as § 319.56–2c in Title 7, Code of Federal Regulations, as follows:

§ 319.56–2c *Administrative instructions authorizing the importation from foreign countries of frozen fruits and vegetables.*—(*a*) The type of treatment hereinafter designated as freezing shall be one of the commercially acceptable methods that involves initial freezing at subzero temperatures and subsequent storage at not higher than 0° F., with a storage tolerance of plus 20° F. Such treatments are commonly known as quick freezing, sharp freezing, frozen-pack, or cold-pack. Any equivalent freezing method is also included in this designation.

(*b*) The Chief of the Bureau of Entomology and Plant Quarantine, under authority contained in § 319.56–2, hereby prescribes freezing as a satisfactory treatment for all fruits and vegetables enterable under § 319.56. Such frozen fruits and vegetables may be imported from any country under permit,[2] on compliance with §§ 319.56–1 to 319.56–7, at such ports as shall be authorized in the permits.

(*c*) Such fruits or vegetables may not be removed from the vessel transporting them until it has been determined by an inspector of the Bureau of Entomology and Plant Quarantine that they are in a satisfactory frozen state on arrival in this country. Upon such determination the inspector will release the shipment.

(*d*) If the fruits or vegetables in any part of such an importation are found to be unfrozen at the time of inspection upon arrival, the entire shipment shall remain on the transporting vessel under such safeguards as may be prescribed by the inspector of the Bureau of Entomology and Plant Quarantine until it is frozen, transported beyond the territorial waters of the United States, or otherwise disposed of to the satisfaction of the inspector.

(*e*) The importation from foreign countries of fruits and vegetables is not authorized when such fruits and vegetables are subject to attack, in the area of origin, by plant pests that may not, in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine, be destroyed by freezing.

(*f*) Freezing of fruits and vegetables as authorized in these instructions is considered necessary for the elimination of pest risk, and no liability shall attach to the United States Department of Agriculture or to any officer or representative of that Department in the event of injury resulting to fruits or vegetables offered for entry in accordance with these instructions.

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[2] Applications for permits to import frozen fruits and vegetables under this subpart may be made to Import and Permit Section, Bureau of Entomology and Plant Quarantine, 209 River Street, Hoboken, N. J.

The foregoing instructions supersede the administrative instructions in B. E. P. Q. No. 462, effective September 15, 1937 (7 C. F. R. 319.56–2c) insofar as they relate to the importation of frozen-pack fruits. The 1937 instructions are otherwise superseded by administrative instructions in 7 C. F. R. 301.13–4a and 301.58–3c.

This section shall be effective on and after March 9, 1950.

(Sec. 5, 37 Stat. 316, 7 U. S. C. 159; 7 C. F. R. 319.56–2.)

The purpose of these revised administrative instructions is to authorize the importation from foreign countries under permit of fruits and vegetables frozen by one of the commercially acceptable methods known as quick freezing, sharp freezing, frozen-pack, or cold-pack. By providing treatments alternative to those previously available, these instructions remove restrictions previously imposed. Accordingly, they are within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the Federal Register.

Done at Washington, D. C., this 24th day of February 1950.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Copies of the above order were sent to all American diplomatic and consular officers through the Department of State.]

[Filed with the Division of the Federal Register, March 8, 1950, 8:51 a. m.; 15 F. R. 1266.]

ANNOUNCEMENTS RELATING TO HAWAIIAN AND PUERTO RICAN COTTON, COTTONSEED, AND COTTONSEED PRODUCTS QUARANTINE (NO. 47)

B. E. P. Q.—Q. 47, Revised — Effective January 3, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

HAWAIIAN AND PUERTO RICAN COTTON, COTTONSEED, AND COTTONSEED PRODUCTS QUARANTINE

REVISION OF REGULATIONS

On November 10, 1949, notice of proposed revision of the regulations supplemental to the quarantine relating to the movement of cotton, cottonseed, and cottonseed products from Hawaii and Puerto Rico into or through any other Territory, State, or District of the United States (7 C. F. R. 301.47–1, 301.47–2) was published in the Federal Register (14 F. R. 6793). After due consideration of all relevant matters presented, including the proposals set forth in the aforesaid notices, the Secretary of Agriculture, pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), hereby revises the regulations supplemental to Hawaiian and Puerto Rican cotton, cottonseed, and cottonseed products quarantine No. 47 (7 C. F. R. 301.47) to read as follows:

§ 301.47–1 *Definitions.*—For the purpose of the regulations in this subpart the following words, names, and terms shall be construed, respectively, to mean:

(*a*) *Cotton.*—Products of plants of the genus Gossypium, including seed cotton; cottonseed; cotton lint and linters; all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; cotton waste; and all other unmanufactured cotton products, except oil.

(*b*) *Seed cotton.*—The unginned lint and seed admixture, just as it is picked from the cotton boll.

(*c*) *Cottonseed.*—The seed of the cotton plant, either separated from the lint or as a component part of seed cotton.

(*d*) *Lint.*—All forms of raw or unmanufactured ginned cotton, either baled or unbaled, including all cotton fiber, except linters, which has not been woven or spun, or otherwise manufactured.

(*e*) *Linters.*—All forms of unmanufactured cotton fiber separated from cottonseed after the lint has been removed, including that form referred to as "hull fiber."

(*f*) *Waste.*—All forms of cotton waste derived from the manufacture of cotton lint, after ginning, in any form or under any trade designation, including waste products derived from the milling of cottonseed.

(*g*) *Certificate* (*certification, certified*).—A type of authorization, evidencing freedom from infestation, issued by the Chief of the Bureau of Entomology and Plant Quarantine to allow the movement of lint, linters, and waste in accordance with the regulations in this subpart. "Certification" and "certified" shall be construed accordingly.

(*h*) *Permit.*—A type of general authorization issued by the Chief of the Bureau of Entomology and Plant Quarantine to allow the movement of lint, linters, and waste; and cottonseed cake, cottonseed meal, and other cottonseed products in accordance with the regulations in this subpart.

(*i*) *Vacuum-fumigated.*—Vacuum-fumigated under the supervision of an inspector of the Bureau of Entomology and Plant Quarantine in a vacuum fumigation plant approved by the Chief of that Bureau and in accordance with methods approved by the Chief of such Bureau.

(*j*) *Moved* (*movement, move*).—Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, directly or indirectly, from the Territories of Hawaii or Puerto Rico into or through any other Territory, State, or District of the United States. "Movement" and "move" shall be construed accordingly.

§ 301.47–2 *Articles the movement of which is prohibited or regulated.*—(*a*) *Articles prohibited movement.* The movement of seed cotton, cottonseed, and cottonseed hulls is prohibited.

(*b*) *Articles the movement of which is regulated.*—Lint, linters, and waste; and cottonseed cake, cottonseed meal, and other cottonseed products, except hulls, are permitted movement in accordance with the provisions of § 301.47–3.

§ 301.47–3 *Conditions governing the issuance of permits and certificates.*—(*a*) *Fumigated lint, linters, and waste; and cottonseed cake, cottonseed meal, and other cottonseed products.*—Lint, linters, and waste; and cottonseed cake, cottonseed meal, and other cottonseed products, except hulls, vacuum-fumigated in the Territory of origin and so certified, are allowed unrestricted movement to any port.

(*b*) *Unfumigated lint, linters, and waste.*—(1) Unfumigated Hawaiian or Puerto Rican lint, linters, and waste will be allowed to move under permit, by all-water route, only for entry at the ports of Norfolk, Baltimore, New York, Boston, San Francisco, and Seattle, or other port of arrival designated in the permit, and at such designated port of arrival shall become subject to the regulations governing the handling of cotton imported from foreign countries (7 C. F. R. 321.101 *et seq.*).

(2) Vacuum fumigation may be waived and certificates issued for lint, linters, clean waste, and other forms of cotton which have been determined by an inspector of the Bureau of Entomology and Plant Quarantine as having been so manufactured or processed by bleaching or dyeing, as to have removed all seed, or to have destroyed all insect life.

(*c*) *Cottonseed cake, cottonseed meal, and cottonseed products.*—(1) Cottonseed cake, cottonseed meal, and other cottonseed products which have been inspected in the Territory of origin and certified by an inspector of the Bureau of Entomology and Plant Quarantine as being free from contamination with whole, uncrushed cottonseed, will be allowed unrestricted movement to any port.

(2) Hawaiian and Puerto Rican cottonseed cake, cottonseed meal, and other cottonseed products, except oil, when neither fumigated nor inspected, in accordance with the regulations in this subpart, will be allowed to enter the United States mainland, under permit, only at the ports of Norfolk, Baltimore, New York,

Boston, San Francisco, and Seattle, or other port of arrival designated in the permit, and under the conditions applying to the same articles imported from foreign countries (7 C. F. R. 321.201 *et seq.*).

The foregoing revision supersedes the regulations effective August 15, 1920 (7 C. F. R. 301.47–1, 301.47–2).

These regulations shall be effective on and after the 3d day of January, 1950.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

The purpose of this revision is to add a provision authorizing the vacuum fumigation in the Territory of origin of cotton lint, linters, and waste; and cottonseed cake, cottonseed meal, and other cottonseed products, except hulls, and certification of such products for unrestricted movement therefrom to any port in the United States.

Since this revision relieves restrictions heretofore imposed, it is within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after its publication in the Federal Register.

Done at Washington, D. C., this 29th day of December 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[Filed with the Division of the Federal Register, January 4, 1950, 8:48 a. m.; 15 F. R. 17.]

ANNOUNCEMENTS RELATING TO HAWAIIAN FRUIT AND VEGETABLE QUARANTINE (NO. 13)

B. E. P. Q. 585 Effective March 9, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS AUTHORIZING THE MOVEMENT FROM HAWAII OF FROZEN FRUITS AND VEGETABLES

On January 21, 1950, notice of proposed issuance of administrative instructions to be designated as 7 C. F. R. 301.13–4a relating to the movement from Hawaii of frozen fruits and vegetables was published in the Federal Register (15 F. R. 365). After due consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority conferred upon him by §§ 301.13–2 (b) and 301.13–4 (b) of the regulations supplemental to the Hawaiian Fruit and Vegetable Quarantine (Notice of Quarantine No. 13, 7 C. F. R. 301.13) under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), hereby issues revised administrative instructions to appear as § 301.13–4a in Title 7, Code of Federal Regulations, as follows:

§ 301.13–4a *Administrative instructions authorizing the movement from Hawaii of frozen fruits and vegetables.*—(*a*) The type of treatment hereinafter designated as freezing shall be one of the commercially acceptable methods that involves initial freezing at subzero temperatures and subsequent storage at not higher than 0° F., with a storage tolerance of plus 20° F. Such treatments are commonly known as quick freezing, sharp freezing, frozen-pack, or cold-pack. Any equivalent freezing method is also included in this designation.

(*b*) The Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority contained in §§ 301.13–2 (b) and 301.13–4 (b) hereby approves the process of freezing as a treatment for all fruits and vegetables described in § 301.13, except as otherwise provided in paragraph (d) of this section. Such

frozen fruits and vegetables may be certified for movement from Hawaii into or through any other Territory, State, or District of the United States.[3]

(*c*) The inspector in Hawaii shall determine that such fruits and vegetables are in a satisfactory frozen state before issuing a certificate. The inspector on the mainland will release the shipment on the basis of the certificate issued in Hawaii.

(*d*) The movement from Hawaii of frozen fruits and vegetables is not authorized when such fruits and vegetables are subject to attack, in the area of origin, by plant pests that may not, in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine, be destroyed by freezing.

(*e*) Freezing of fruits and vegetables as authorized in these instructions is considered necessary for the elimination of pest risk, and no liability shall attach to the United States Department of Agriculture or to any officer or representative of that Department in the event of injury resulting to fruits or vegetables offered for movement in accordance with these instructions.

The foregoing instructions supersede the administrative instructions in B. E. P. Q. No. 462, effective September 15, 1937 (7 C. F. R. 319.56–2c) insofar as they relate to the movement from Hawaii of frozen-pack fruits.

This section shall be effective on and after March 9, 1950.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161; 7 C. F. R. 301.13–4 (b).)

The purpose of these revised administrative instructions is to authorize the movement from Hawaii under certificate of fruits and vegetables frozen by one of the commercially acceptable methods known as quick freezing, sharp freezing, frozen-pack, or cold-pack. By providing treatments alternative to those previously available, these instructions remove restrictions previously imposed. Accordingly, they are within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the Federal Register.

Done at Washington, D. C., this 24th day of February 1950.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, March 8, 1950, 8:51 a. m.; 15 F. R. 1265.]

ANNOUNCEMENTS RELATING TO NURSERY STOCK, PLANT, AND SEED QUARANTINE (NO. 37)

B. E. P. Q. 576, Revised — Effective March 6, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM REQUIREMENTS OF NURSERY STOCK, PLANT, AND SEED QUARANTINE

Pursuant to the first proviso of Nursery Stock, Plant, and Seed Quarantine No. 37 (7 C. F. R. 319.37 (a)), the Chief of the Bureau of Entomology and Plant Quarantine hereby amends administrative instructions exempting certain restricted articles from some of the requirements of the nursery stock, plant,

[3] Applications for certificates to move frozen fruits and vegetables from Hawaii under this subpart may be made to Bureau of Entomology and Plant Quarantine, Room 248, Federal Building, Honolulu 9, T. H.

and seed quarantine regulations (7 C. F. R. 319.37–2a, B. E. P. Q. 576; 14 F. R. 1167, effective March 15, 1949) to read as follows:

§ 319.37–2a *Administrative instructions exempting certain restricted articles from some of the requirements of the Nursery Stock, Plant, and Seed Quarantine Regulations.*—The following articles are hereby exempted from the requirements of the regulations specified below:

Restricted plant material (except Aglaonema) for food, analytical, medicinal, or manufacturing purposes, enterable under § 319.37–2, is hereby exempted from the notice of arrival requirements of § 319.37–11.

All seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character (except seeds of *Lathyrus*, *Vicia*, and okra), enterable under § 319.37–4, are hereby exempted from the notice of arrival requirements of § 319.37–11 when the inspector at any port shall find and shall so inform the importers concerned that equivalent information is obtainable from ships' manifests or other sources and that the notice of arrival requirements are being waived.

All grains and cereals from Canada which are restricted plant material enterable under § 319.37–2 are hereby exempted from the provisions of §§ 319.37–7, 319.37–8, 319.37–9, 319.37–11, 319.37–15, and 319.37–16, relating respectively to costs and charges, inspection, treatment, notice of arrival, freedom from soil, and approved packing materials.

These instructions shall be effective March 6, 1950.

The purpose of this amendment is to add to present exemptions a waiver of notice of arrival requirements insofar as they apply to certain seeds when an inspector at any port shall find and shall so inform interested importers that equivalent information is obtainable from ships' manifests or other sources and that such requirements are so waived. Essential information concerning such shipments is usually obtainable from ships' manifests. In such cases, it is no longer considered necessary to require the furnishing of a notice of arrival. To this extent, the amendment relieves restrictions heretofore imposed. At some of the larger ports, however, operational procedures are such that it is impracticable to waive the notice of arrival requirements for these articles.

It is important that shippers be afforded this relief at the earliest possible date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that notice and public procedure on this amendment are impracticable and contrary to the public interest, and good cause is found for the issuance of the amendment effective less than 30 days after its publication in the Federal Register.

(Sec. 5, 37 Stat. 316, 7 U. S. C. 159; 7 C. F. R. 319.37 (a), 13 F. R. 4267.)

Done at Washington, D. C., this 23d day of February 1950.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Copies of the above order were sent to all American diplomatic and consular officers through the Department of State.]

[Filed with the Division of the Federal Register, March 3, 1950, 8:53 a. m.; 15 F. R. 1196.]

ADDITIONAL SAFEGUARDS PRESCRIBED TO PREVENT ENTRY OF GOLDEN NEMATODE

(Press Notice)

MARCH 20, 1950.

Additional safeguards to strengthen foreign inspection and certification of imported plant material will be effective July 1, 1950, according to an announcement by the United States Department of Agriculture. The modifications in foreign certification requirements are for the purpose of preventing further introduction into the United States of the golden nematode of potatoes.

Amended regulations will require that restricted plant material, including bulbs, entering the United States must be accompanied by a certificate issued

by a duly authorized official of the country where the material was grown, stating that the material was grown on land on which no golden nematode is known to occur.

When the material is from countries where the golden nematode is reported to occur, the certificate must also show the most recent date on which the growing site was inspected for nematodes.

Another change will require the certifying inspector to base his certification on inspections both during the growing season and at the time of packing. Either type of inspection is acceptable under present regulations.

The effective date of the order has been postponed to give foreign plant pest officials an opportunity to make the required field inspections.

Extensive federal-state control work is now under way to eradicate or suppress an introduced infestation of the golden nematode on Long Island, N. Y. Supplementing the control work, a New York State quarantine prohibits the movement of soil from the infested area.

Foreign officials are now required to certify that the plant material has been thoroughly inspected, during the growing season or at the time of packing or both, and was found or believed to be, free from plant pests. Also they must certify that the material is free from all soil, earth, or sand, and that only approved packing materials have been used.

B. E. P. Q.—Q. 37

Amendment to Regulation 13
Effective July 1, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 319—FOREIGN QUARANTINE NOTICES

AMENDMENT RELATING TO CERTIFICATION OF IMPORTED PLANT MATERIAL

On January 26, 1950, there was published in the Federal Register (15 F. R. 451), a notice of proposed rule making concerning an amendment of § 319.37–13 of the regulations supplemental to the quarantine relating to the importation of nursery stock, plants, and seeds (7 C. F. R. 319.37–13). After due consideration of all relevant matters presented, including the proposals set forth in the notice, and pursuant to the authority conferred upon me by section 5 of the Plant Quarantine Act of 1912 (7 U. S. C. 159), § 319.37–13 is hereby amended to read as follows:

§ 319.37–13 *Certification.*—(*a*) All restricted plant material from countries with official systems of inspection, except that entering pursuant to § 319.37–2, shall be accompanied by an original certificate attached to the invoice, and each container shall bear a copy-certificate, issued by a duly authorized official of the country of export stating (1) the country where the restricted plant material covered by the certificate was grown, (2) that it has been thoroughly inspected by him, or under his direction, both during the growing season and at the time of packing, and was found, and believed to be, free from plant pests, (3) that it is free from all sand, soil, or earth, except for restricted plant material under § 319.37–5, and (4) that only approved packing materials have been used. If the restricted plant material was not produced in the country from which it is shipped to the United States, the certificate and copy-certificate required in this paragraph must have been issued by the duly authorized official of the country where such material was grown. In addition, all restricted plant material entering the United States from any foreign country or locality, except that entering pursuant to § 319.37–2, shall be accompanied by an original certificate attached to the invoice, and each container shall bear a copy-certificate, issued by a duly authorized official of the country where such material was grown, stating that the re-

stricted plant material covered by the certificate was grown on land on which no golden nematode (*Heterodera rostochiensis* Wr.) is known by him to occur. In countries where the golden nematode is reported to occur the certificate shall, in addition, state the date of the most recent inspection of the land in which the restricted plant material was grown. These two forms of certification may be included in a single certificate.[4]

(*b*) All restricted plant material entering the United States from Canada pursuant to § 319.37–5 when considered as of Canadian origin or production as specified in § 319.37–5 (*c*) shall be certified as of such origin by a duly authorized official of the Dominion pursuant to paragraph (*a*) of this section.

(Sec. 5, 37 Stat. 316; 7 U. S. C. 159.)

This amendment shall be effective July 1, 1950.

The purpose of this amendment is to provide, in addition to previous requirements, that plant material, including bulbs, from all foreign countries shall be certified by a duly authorized official of the country where such material was grown as having been grown on land on which no golden nematode is known to occur.

Further, it provides that the certifying inspector in the country of export shall state in the certificate that the restricted plant material was inspected both during the growing season and at the time of packing. It also requires that when restricted plant material was not produced in the country from which it is shipped to the United States the certificate must be issued by an official in the country where such material was grown.

Done at Washington, D. C., this 16th day of March, 1950. Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] A. J. Loveland,
Acting Secretary of Agriculture

[Copies of the above order were sent to foreign governments through the Department of State.]

[Filed with the Division of the Federal Register, March 21, 1950, 8:53 a. m.; 15 F. R. 1585.]

ANNOUNCEMENTS RELATING TO PINK BOLLWORM QUARANTINE (NO. 52)

TWO ARIZONA COUNTIES REMOVED FROM PINK BOLLWORM REGULATED AREA

(Press Notice)

January 10, 1950.

Maricopa and Pinal Counties, Ariz., are being removed from the pink bollworm lightly infested area, effective January 10, 1950, Secretary of Agriculture Charles F. Brannan announced today.

Intensive field surveys and inspections of trash from all gins handling cotton produced in these counties have been made during the past three years. These have failed to reveal any pink bollworms.

Infestations in these two counties are therefore considered as eradicated. It is no longer necessary to continue the quarantine regulations affecting shipments of cotton and cotton products from these sections.

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[4] The following is a suggested certificate that would meet these requirements:
This is to certify (1) that the plant material covered by this certificate was grown in _____; (2) that it was inspected by me or under my direction both during the growing season and at the time it was packed and was found, and is believed by me, to be free from injurious insects and plant diseases; (3) that it is free from all sand, soil, or earth; (4) that the packing material used is of the type approved under the provisions of Nursery Stock, Plant, and Seed Quarantine No. 37; and (5) that the plant material was grown on land which, on the basis of an inspection made on _____, 19_____, was free from the golden nematode, *Heterodera rostochiensis* Wr.

B. E. P. Q.—Q. 52

Amendment of Regulation 2
Effective January 10, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

Chapter III—Bureau of Entomology and Plant Quarantine

Part 301—domestic quarantine notices

REMOVING MARICOPA AND PINAL COUNTIES, ARIZ., FROM PINK BOLLWORM REGULATED AREA

Pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), the Secretary of Agriculture hereby amends § 301.52–2 of the regulations supplemental to notice of quarantine No. 52 relating to the pink bollworm (7 C. F. R. 301.52–1 *et seq.*), by deleting the counties of Maricopa and Pinal, Ariz., from the areas therein designated as lightly infested.

Intensive annual field surveys and inspection of trash from all gins handling cotton produced in these two counties have been made each crop year. These inspections through three full seasons have failed to reveal any pink bollworms. It is, therefore, considered that these infestations have been eradicated and that it is no longer necessary to continue the regulations as they affect these areas. This conclusion is shared by the cooperating State officials and they have taken action to remove the State regulations as they applied to the two counties.

The purpose of this amendment is to relieve restrictions in accordance with pest risk. It is important that cotton shippers in these two counties be afforded this relief at the earliest possible date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that notice and public procedure on this revision are impracticable and contrary to the public interest, and good cause is found for the issuance of the amendment effective less than 30 days after its publication in the Federal Register.

This amendment shall be effective January 10, 1950.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

Done at Washington, D. C., this 6th day of January 1950.

[SEAL]

Charles F. Brannan,
Secretary of Agriculture.

[Copies of the above amendment were sent to all postmasters in the regulated area through the Post Office Department.]

[Filed with the Division of the Federal Register, January 11, 1950, 8:52 a. m.; 15 F. R. 164.]

Notice to General Public Through Newspapers

United States Department of Agriculture,
Washington, D. C., January 6, 1950.

Notice is hereby given that the Secretary of Agriculture, under authority of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), has amended § 301.52–2 of the regulations supplemental to notice of quarantine No. 52 relating to the pink bollworm (7 C. F. R. 301.52–1 et seq.), by deleting the counties of Maricopa and Pinal, Ariz., from the areas therein designated as lightly infested. Copies of the notice of amendment may be obtained from the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, Washington 25, D. C.

Charles F. Brannan,
Secretary of Agriculture.

[The above notice was published in The Arizona Republic, Phoenix, Arizona, January 24, 1950.]

B. E. P. Q. 558, 3d Rev. Effective February 16, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III—BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301—DOMESTIC QUARANTINE NOTICES

ADDITIONAL METHOD OF TREATING COTTONSEED FOR CERTIFICATION UNDER PINK BOLLWORM REGULATIONS

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of the Pink Bollworm Quarantine (7 C. F. R. 301.52), and having determined that facts exist as to pest risk involved which make it safe to modify, by making less stringent, the requirements contained in § 301.52–4 (*c*), (1) and (2) of the regulations, administrative instructions authorizing methods of treating cottonseed (B. E. P. Q. 558, Revised, 7 C. F. R. 301.52–4a, as amended, 7 C. F. R. 301.52–4a, 14 F. R. 5733) are hereby further amended by redesignating paragraph (*b*) as paragraph (*c*), and adding a new paragraph (*b*) to read as follows:

§ 301.52–4a *Administrative instructions authorizing additional methods of treating cottonseed.* * * *

(*b*) *Cottonseed from a limited number of the counties in lightly infested area as described in paragraph (a) of this section.*—In lieu of the heat treatment upon arrival at designated oil mills or other treating plants prescribed in § 301.52–4 (c) (1) as a condition of certification for interstate movement, to any destination, of cottonseed originating in the counties of Bailey, Baylor, Brown, Callahan, Childress, Cochran, Coleman, Collingsworth, Cottle, Crane, Crosby, Dickens, Donley, Fisher, Floyd, Foard, Garza, Gray, Hale, Hall, Hardeman, Haskell, Hockley, Jones, Kent, King, Knox, Lamb, Lubbock, Lynn, Motley, Nolan, San Saba, Scurry, Shackelford, Stonewall, Taylor, Terry, Throckmorton, Upton, Wheeler, Wichita, Wilbarger, and Yoakum, in Texas, the counties of Beckham, Caddo, Greer, Harmon, Jackson, Kiowa, Tillman, and Washita, in Oklahoma, and the counties of Curry, Quay, and Roosevelt, in New Mexico, such cottonseed may be certified after methyl bromide fumigation within the area under the supervision of an inspector in the following manner:

(1) *Equipment.*—All-metal freight cars or all-metal trucking vans will be acceptable as fumigation chambers. The floor of the car or van may be of wood of tight construction. The doors must be single doors and not over 7 feet in width. Sisal-kraft paper shall be used to cover wooden floors of cars or vans. Doors and other apertures must be sealed in a manner and with materials as required by the inspector.

Each railway car or trucking van shall be prepared so that air can be withdrawn from beneath the seed and returned to the space above the load. This shall be provided by a dispensable duct system made of 4-inch downspout perforated at 2-inch intervals on three sides, laid on the car floor. A portable blower with connecting tubular duct shall be attached to the duct system in the car long enough to provide the required circulation. This blower shall have a capacity of not less than 625 cubic feet per minute against 5-inch static pressure, and shall be of a design that can be made gastight. The intake side of the blower shall be connected with the duct outlet extended through a paper grain door (installed in the aperture of the regular door) by means of a 10-foot length of 6-inch spiral tubing. A 15-foot length of 8-inch spiral tube shall be connected to the exhaust side of blower to return the air to the space above the load.

(2) *Approval.*—Any person contemplating the use of railway freight cars or trucking vans as fumigation chambers for use under these instructions should make application to the Bureau of Entomology and Plant Quarantine for approval and to secure information on specific materials required. This type of fumigation is available to all shippers in the designated counties, but its application will be governed by the trained and competent personnel available that can be assigned to its supervision. Each individual railway car or trucking van must be approved by an inspector of the Bureau of Entomology and Plant Quarantine before loading

with cottonseed to be fumigated. Certificates for movement of seed treated by this method will be refused if satisfactory fumigation has not been obtained in accordance with performance test made of the loaded railway car or trucking van.

(3) *Dosage.*—The dosage of methyl bromide shall be as follows:

At average seed temperatures of 60° F. or above, the dosage shall be 7 pounds of methyl bromide per 1,000 cubic feet of space in the railway car or trucking van, or with seed temperatures below 60° F. shall be 8 pounds of methyl bromide per 1,000 cubic feet of space. It shall be loaded in such a way as to leave a 2-foot air space above the seed.

The dosage shall be introduced as a gas into the return duct at some point beyond the blower. The gas must be volatilized as it is introduced into the chamber in manner and method required by the inspector.

The exposure period shall be of 24 hours' duration, and the railway car or trucking van will not be released until expiration of that period of time.

These instructions shall be effective February 16, 1950.

(Secs. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 143, 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

This amendment provides an additional method of fumigating cottonseed after loading in all-metal freight cars or all-metal trucking vans. It thus relieves restrictions heretofore imposed. The area designated in the proposed amendment now has stored in it some 300,000 tons of cottonseed which must be subjected to treatment before it will be eligible for free movement. None of the treatments thus far approved are adequate to meet this situation. Because of this emergency it is necessary that the new method of treatment authorized in this amendment be made immediately available for use by interested shippers. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that notice and public procedure on this amendment are impracticable and contrary to the public interest, and good cause is found for the issuance of the amendment effective less than 30 days after its publication in the Federal Register.

Done at Washington, D. C., this 8th day of February 1950.

[SEAL] AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, February 15, 1950, 8:49 a. m.; 15 F. R. 840.]

ANNOUNCEMENTS RELATING TO PUERTO RICAN FRUIT AND VEGETABLE QUARANTINE (NO. 58)

B. E. P. Q. 586 Effective March 9, 1950

TITLE 7—AGRICULTURE

AGRICULTURAL RESEARCH ADMINISTRATION

CHAPTER III — BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

PART 301 — DOMESTIC QUARANTINE NOTICES

ADMINISTRATIVE INSTRUCTIONS AUTHORIZING THE MOVEMENT FROM PUERTO RICO OF FROZEN FRUITS AND VEGETABLES

On January 21, 1950, notice of proposed issuance of administrative instructions to be designated as 7 C. F. R. 301.58–3c relating to the movement from Puerto Rico of frozen fruits and vegetables was published in the Federal Register (15 F. R. 365). After due consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the Chief of the Bureau of Entomology and Plant Quarantine, pursuant to the authority conferred upon him by §§ 301.58–2 and 301.58–3 of the regulations supplemental to the Puerto Rican Fruit and Vegetable Quarantine (Notice of Quarantine No. 58, 7 C. F. R. 301.58) under

section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), hereby issues revised administrative instructions to appear as § 301.58–3c in Title 7, Code of Federal Regulations, as follows:

§ 301.58–3c *Administrative instructions authorizing the movement from Puerto Rico of frozen fruits and vegetables.*—(*a*) The type of treatment hereinafter designated as freezing shall be one of the commercially acceptable methods that involves initial freezing at subzero temperatures and subsequent storage at not higher than 0° F., with a storage tolerance of plus 20° F. Such treatments are commonly known as quick freezing, sharp freezing, frozen-pack, or cold-pack. Any equivalent freezing method is also included in this designation.

(*b*) The Chief of the Bureau of Entomology and Plant Quarantine is satisfied that the movement of all fruits and vegetables specified in § 301.58–2, when frozen, will not result in the dissemination of injurious insects. Accordingly, pursuant to the authority contained in the proviso of § 301.58–2, all fruits and vegetables specified therein, when frozen, are hereby removed from a prohibited status and are included in the list for which movement from Puerto Rico into or through any other State, Territory, or district is authorized in § 301.58–3. Freezing is hereby prescribed as an approved treatment meeting the treatment requirements for the movement of fruits and vegetables specified in § 301.58–3.[5]

(*c*) The inspector in Puerto Rico shall determine that such fruits and vegetables are in a satisfactory frozen state before issuing a certificate. The inspector on the mainland will release the shipment on the basis of the certificate issued in Puerto Rico.

(*d*) The movement from Puerto Rico of frozen fruits and vegetables is not authorized when such fruits and vegetables are subject to attack, in the area of origin, by plant pests that may not, in the judgment of the Chief of the Bureau of Entomology and Plant Quarantine, be destroyed by freezing.

(*e*) Freezing of fruits and vegetables as authorized in these instructions is considered necessary for the elimination of pest risk, and no liability shall attach to the United States Department of Agriculture or to any officer or representative of that Department in the event of injury resulting to fruits or vegetables offered for movement in accordance with these instructions.

The foregoing instructions supersede the administrative instructions in B. E. P. Q. No. 462, effective September 15, 1937 (7 C. F. R. 319.56–2c) insofar as they relate to the movement from Puerto Rico of frozen-pack fruits.

This section shall be effective on and after March 9, 1950.

(Sec. 8, 37 Stat. 318, as amended, 7 U. S. C. 161; 7 C. F. R. 301.58–2 and 301.58–3.)

The purpose of these revised instructions is to authorize the movement from Puerto Rico under certification of fruits and vegetables frozen by one of the commercially acceptable methods known as quick freezing, sharp freezing, frozen-pack, or cold-pack. By providing treatments alternative to those previously available, these instructions remove restrictions previously imposed. Accordingly, they are within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the Federal Register.

Done at Washington, D. C., this 24th day of February, 1950.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

[Filed with the Division of the Federal Register, March 8, 1950, 8:51 a. m.; 15 F. R. 1266.]

[5] Further information concerning the movement of frozen fruits and vegetables from Puerto Rico may be obtained from the Bureau of Entomology and Plant Quarantine, Building "N," Puerto Rican Reconstruction Administration, Avenida Ponce de Leon, P. O. Box 3386, San Juan, P. R.

MISCELLANEOUS ITEMS

DR. P. N. ANNAND, CHIEF OF THE BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE, DIES

[Press Notice]

MARCH 30, 1950.

Funeral services for Dr. Percy N. Annand, Chief of the U. S. Department of Agriculture's Bureau of Entomology and Plant Quarantine, who died March 29 at Arlington Hospital, following a prolonged illness, will be held at 11:30 a. m., April 1, at the Ives Funeral Home, Arlington, Va. Dr. Annand had been chief of the Bureau since August 16, 1941. It was under his direction that the many recent important advances in the control of insect pests of man, animal, and crops have taken place. These included such far-reaching accomplishments as development of the insecticidal use of DDT, aerosols for household, greenhouse, and field use, and the practical dispersal of liquid insecticides from aircraft.

"Dr. Annand's death is a serious loss to agriculture," said Dr. P. V. Cardon, research administrator of the Department. "He was an outstanding entomologist and an outstanding scientist, who was known both nationally and internationally in his field of work."

Dr. Annand was born in Telluride, Colo., November 16, 1898. He graduated with a B. S. degree in 1920 from Colorado Agricultural College, where he specialized in entomology. He received an M. A. degree in entomology from Leland-Stanford University in 1922, and a Ph. D. in zoology and botany from the same institution in 1928.

Prior to joining the Department of Agriculture in 1929, Dr. Annand engaged in research work on sugar-beet insects for a sugar company from 1920 to 1921. He was a member of the staff of San Mateo Junior College from 1922 to 1929, and during the latter part of that period headed the college's department of biological sciences.

During his early years in the Bureau, Dr. Annand conducted further research on the sugar-beet leafhopper in California and Idaho, and in 1932 he was called to Washington to an administrative position. He headed the Division of Cereal and Forage Insect Investigations from 1934 to 1937. During the next 2 years, as special research assistant to the chief of bureau, he served as coordinator of all research work. He was named assistant chief of the Bureau in 1939, and was appointed to the position of chief of bureau by the Secretary of Agriculture 2 years later, following the death of his predecessor, Dr. Lee A. Strong.

Dr. Annand was a member of the American Association for the Advancement of Science, fellow of the Entomological Society of America, and past president of both the American Association of Economic Entomologists and the Entomological Society of Washington.

He is survived by his wife, Mrs. Ruth E. (Lovett) Annand, a daughter, Doris M., and a son, Richard J., all of 4247 Vacation Lane, Arlington, Va.; and by two brothers, Robert N. Annand, who is a plant quarantine inspector with the Bureau of Entomology and Plant Quarantine, headquartered at Lufkin, Tex., and Dr. J. W. Annand of Los Banos, Calif.

EMORY D. BURGESS IS NEW ASSISTANT TO EPQ ASSISTANT CHIEF

[Press Notice]

JANUARY 10, 1950.

Emory D. Burgess, United States Department of Agriculture entomologist, has been appointed assistant to Dr. W. L. Popham, Assistant Chief, Bureau of Entomology and Plant Quarantine, in charge of control operations, it was announced today by Dr. P. N. Annand, Chief of the Bureau. Mr. Burgess will participate in the direction and development of the operations carried on by the Bureau in cooperation with State and local agencies to eradicate or control outbreaks of insect pests and plant diseases.

These include control programs against such insect pests as grasshoppers, Mormon cricket, gypsy moth, white-fringed beetles, Japanese beetle, Mexican fruit fly, and pink bollworm, and plant diseases such as white pine blister rust, black stem rust of wheat and other small grains, phony peach, and peach mosaic.

Mr. Burgess was born at Reading, Mass., June 26, 1907, and holds a B. S. degree from the University of Massachusetts and an M. S. degree from Ohio State University. He has been associated with the Department of Agriculture intermittently since 1924. His early work concerned the control of the gypsy moth and the Dutch elm disease, and several years of research on problems concerning the European corn borer and the Japanese beetle.

He entered the Sanitary Corps of the Army of the United States in 1941 and was separated from military service with the rank of lieutenant colonel in 1946. Mr. Burgess has been associated for the past 3 years with the Division of Gypsy Moth Control of the Bureau of Entomology and Plant Quarantine, with headquarters at Greenfield, Mass., and has recently served as assistant to the leader of that division.

CLARENCE H. HOFFMANN IS NEW ASSISTANT IN EPQ INSECT RESEARCH

(Press Notice)

FEBRUARY 1, 1950.

Research on insects carried on by the United States Department of Agriculture will be furthered by the appointment today of Dr. Clarence H. Hoffmann to work closely with Dr. F. C. Bishopp, assistant chief in charge of research work in the Bureau of Entomology and Plant Quarantine.

In announcing the appointment, Dr. P. N. Annand, chief of the Bureau, said that Dr. Hoffmann will serve as assistant to Dr. Bishopp in planning, developing, and directing the many and varied research functions and activities concerning insects and the development of practical methods for their control. He also will participate in coordinating entomological research and relating it to other sciences and action programs, and participate in the development of effective cooperative relations between the Bureau and other Federal, State, and private agencies.

Dr. Hoffmann was born at Caldwell, Kans., August 26, 1908. He holds A. B. and M. A. degrees from the University of Kansas, and in 1935 obtained his Ph. D. in entomology from the University of Minnesota.

Since 1935, Dr. Hoffmann has been associated with certain phases of forest insect research carried on by the Bureau of Entomology and Plant Quarantine. His work has included fundamental studies of the relation of insects to the spread of Dutch elm disease, a serious enemy of valuable elm trees in eastern United States.

From 1940 to 1945 he was in charge of a field laboratory at Asheville, N. C., where he conducted research on various forest insects in the Southern Appalachian region. This included experiments in the use of chemicals and other measures for the prevention and control of termite infestations in buildings, testing the value of various chemicals used in wood preservation, and biological studies of insects injurious to forest products. These investigations were carried on in close cooperation with the Appalachian Forest Experiment Station, the War and Navy Departments, the Federal Housing Administration, and other agencies. Dr. Hoffmann rendered valuable advice and assistance to those agencies with regard to forest insect problems of the area.

Dr. Hoffmann has been stationed at the Forest Insects Laboratory of the Bureau of Entomology and Plant Quarantine at the Agricultural Research Center, Beltsville, Md., during the past five years. Here he has assisted in the planning and execution of a highly technical and important study of the effects of large scale aerial applications of DDT upon the abundance of beneficial and other insects in forested areas treated with that material. He has also cooperated with the Fish and Wildlife Service of the United States Department of the Interior in conducting research on the effects of DDT and DDT-treated insects on fish and other animal life.

B. E. P. Q. 403, Revised, Supplement No. 4

FEBRUARY 21, 1950.

PLANT-QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF FRANCE

Ministerial Orders of December 1, 1949, December 19, 1949, and December 29, 1949.

Ministers of Agriculture and of Finance and Economic Affairs published in the Journal Officiel December 13 and 25, 1949, and January 11, 1950.

Amended list of ports of entry, Order December 1, 1949, revoking list in Article 3 of the Order of June 18, 1948 (see Supplement No. 1, B. E. P. Q. 403).

Ajaccio, Ajaccio Campo di Loro.
Bayonne, Bellegarde, Bordeaux, Bordeaux-Marignac, Boulogne, Brest.
Caen, Caen-Carpiquet, Canfranc, Cerbere, Cherbourg.
Dieppe, Dunkerque.
Hendaye (station and road).
Jeumont.
Kehl-Strasbourg.
La Rochelle-Pallice, le Bourget, le Havre, le Perthus, Lille-Lesquin, Lyon, Lyon-Bron.
Marseille, Marseille-Marignane, Modane.
Nantes, Nice, Nice-le-Var.
Orly.
Paris, Perpignan-Llabanere, Port-la-Nouvelle, Port-Vendres.
Risquons-Tout (road), Rouen.
Saint-Louis (station and road), Saint-Malo, Saint-Nazaire, Sete, Strasbourg-Entzheim.
Thionville, Toulouse, Toulouse-Blagnac, Tourcoing (station).
Vallorbe, Vintimille.

Addition to list A, Order of August 1, 1946, p. 5, B. E. P. Q. 403.

ORDER OF DECEMBER 19, 1949

Cryptogams, bacteria and viruses.
Maladie a virus du dahlia, virus disease of dahlia.

IMPORTATION OF DAHLIA RESTRICTED

ORDER OF DECEMBER 29, 1949

The importation into France from all foreign countries of dahlia tubers and cuttings is dependent upon the presentation of a certificate of control as to selection and phytopathological inspection, to be furnished by the official authorities of the country of origin, attesting specifically that the products originated exclusively from selected stock and are free from virus diseases.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 404, Revised, Supplement No. 7

FEBRUARY 21, 1950.

PLANT-QUARANTINE IMPORT RESTRICTIONS, INDIA

RESTRICTIONS ON IMPORTATION OF POTATOES

The Ministry of Agriculture of the Government of India on December 13, 1949, amended the order of July 20, 1936, so that article 6 on page 6 of B. E. P. Q., 404, revised, should read as follows:

"Art. 6 Potatoes shall not be imported into India unless accompanied by:
"(a) A declaration from the shipper stating fully in what country and district the potatoes were grown, and

"(b) An official certificate stating—

"(i) That no case of warty disease (*Synchytrium endobioticum*) of potatoes or the existence of the pests, Golden Nematode (*Heterodera rostochiensis*) and Colorado potato beetle (*Leptinotarsa decemlincata*) in any stage of development has occurred at any time during twelve months preceding the date of the certificate within five miles of the place where the potatoes included in the consignment were grown;

"(ii) That the crop from which the potatoes were derived was officially inspected in the field and that the degree of freedom from virus diseases was sufficiently high to ensure the suitability of the progeny for seed purposes, and that the said crop was not grown in the vicinity of any unhealthy potato crop;

"(iii) That a representative sample of potatoes included in the consignment was thoroughly examined and found to be healthy and there was no evidence in it of the presence of any insect pest or fungus destructive to agricultural and horticultural crops."

Provided that potatoes may be imported under a certificate from the Botanist, Agricultural Research Institute, New Delhi, or the Plant Protection Adviser to the Government of India, or the Director, Central Potato Research Institute.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

B. E. P. Q. 556, Revised

FEBRUARY 21, 1950.

PLANT QUARANTINE IMPORT RESTRICTIONS, REPUBLIC OF PERU

The following revised summary of the plant quarantine restrictions of the Republic of Peru has been prepared for the information of nurserymen, plant quarantine officials, and others interested in the exportation of plants and plant products from the United States to that country.

The summary was prepared by Richard Faxon of the Division of Foreign Plant Quarantines, from translations of the original texts of the Peruvian laws, decrees, and resolutions, as compiled by Ing. Julio Gaudron, Chief, Division de Sanidad Vegetal, Direccion de Agricultura. It was reviewed by Ing. Gaudron.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, or as a substitute for, the original texts, and it is not be interpreted as legally authoritative. The decrees themselves should be consulted for the exact text.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology and Plant Quarantine.

BASIC LEGISLATION

Law No. 1221 of December 20, 1909 and Supreme Decree No. 0017 of May 4, 1949, which modifies and extends Law No. 1221.

The Junta de Sanidad Vegetal, by Supreme Decree No. 181 of June 1, 1928, is empowered to promulgate and enforce laws and regulations for the protection of national agricultural interests.

SUMMARY

GENERAL ENTRY PROVISIONS

1. Shipment of seeds, living plants or parts of plants, and fresh fruits and vegetables, for entry into Peru, must be supported by the following:

a. Phytosanitary certificate issued by competent authority (Federal or State) and certificate of origin (by shipper) endorsed by local authorities. (See par. 6.)

b. Import permit (listing any special requirements applicable) issued in advance of exportation. (See par. 5.)

c. Consular invoice for cargo or parcel post packages. (See par. 7.)

Authorized ports of entry are as follows: Callao and Iquitos for general cargoes and mail; Callao only for flaxseed, fruits and vegetables; and Lima for mail only. Entry at other ports may also be authorized in special cases. (See par. 9.)

Importation Prohibited

2. Importation of the following articles is prohibited, except as noted:

a. Banana plants (*Musa* spp.) and parts thereof, except the fruits. (See par. 15.)

b. Coffee (*Coffea* spp.) plants and parts thereof, including the seeds. (See par. 16.)

c. Cottonseed (*Gossypium* spp.), except shipments not exceeding 1 kilogram of each variety imported by the Division de Sanidad Vegetal of the Direccion de Agricultura, official agencies, from localities free of the pink bollworm (*Pectinophora gossypiella* Saund.) and certified accordingly by the U. S. Department of Agriculture. (See par. 12.)

d. Flaxseed (*Linum* spp.), except shipments directed to the Campana de Fomento del Cultivo de Lino, and accompanied by an official certificate attesting either that the seed will be grown in a locality free of wilt (*Fusarium lini* Boll.) or that they are wilt-free. (See par. 24.)

e. Fresh fruits and vegetables, except from the States of California, Oregon, and Washington. (See par. 19.)

f. Seeds and plants in diplomatic pouches. (See par. 11.)

g. Sugarcane (*Saccharum officinarum* L.), except importations from experiment stations by the Division de Sanidad Vegetal in quantities not exceeding 25 kilograms for each variety. (See par. 13.)

h. Parasitic insects, except by the Direccion de Agricultura. (See par. 17.)

i. Citrus plants and cuttings on account of "tristeza" disease. (See par. 29.)

Importation Restricted

3. Importation of the following is permitted, subject to the conditions prescribed:

a. Living plants and seeds must be free of cryptogamic pests and be accompanied by a certificate of origin and a phytosanitary certificate. (See par. 6.)

b. Fresh fruits and vegetables from the States of California, Oregon, and Washington must be free of pests and be accompanied by the documents specified in paragraph 6.

c. Potatoes (*Solanum tuberosum* L.) from the United States may be imported only under special permission in quantities not to exceed 25 kilograms for each variety. (See par. 14.)

d. Postal shipments of vegetable and flower seeds. (See par. 26.)

e. Grape plants and cuttings. (See par. 27.)

Importation Unrestricted

4. Importations of dried or otherwise processed fruits and vegetables, nuts, grains, etc., for consumption are not restricted.

GENERAL REGULATIONS

Import Permit Required in Advance of Importation [6]

5. Any prospective importer of plants, cuttings, or seeds (see also par. 19, p. 7, for fruits and vegetables) of any kind must previously apply in writing on sealed paper to the Direccion de Agricultura (Director of Agriculture) requesting the corresponding authorization, indicating in the application the kind and quantity of seed or plants, the country, locality, and the shipper. (See note below.)

[6] Supreme Decree No. 180 of June 1, 1928.

Prospective importers of cottonseed and of sugarcane cuttings or seed must direct their requests through the Sociedad Nacional Agraria.

Certificate of Origin and Phytosanitary Certificate Required [7]

6. The importation of seeds, cuttings, plants, and shrubs (see also par. 19, p. 7, for fruits and vegetables) is prohibited, except when a shipment is accompanied by the following documents:

a. Certificate of origin (declaration by producer, dealer, or exporter of the plant products endorsed by local authorities, which may also be included in the phytosanitary certificate).

b. Phytosanitary certificate issued by competent authority (Federal, State, or experiment station officials) declaring the shipment free from (cryptogamic) pests and diseases damaging to crops in locality of origin.

c. Consular invoice issued by a Peruvian consul.

Note.—For the entry of plants and seeds whose importation offers little danger, such as vegetable or flower seeds in general, or of plants of slight value, previous certification is sufficient; but when plant products representing crops of commercial significance are concerned, and which may carry major pests, previous authorization is required in order that supplementary requirements may be effected, such as fumigation of the products in place of origin, or a declaration in the phytosanitary certificate that the locality of production is free from specific pests.

Consular Visas Required for Cargo and Parcel Post Packages [8]

7. Peruvian consular agents in foreign countries will not issue consular invoices for cargo or parcel post packages that contain seeds, plants, cuttings, and forages, unless the shipper presents for legalization the certificate of origin and phytosanitary certificate specified in paragraph 6, together with a copy of the import permit required by paragraph 5.

8. The payment of consular fees is exempted in the case of shipments with a value not exceeding 1 Peruvian gold pound ($4.74 U. S. currency).[9]

Authorized Ports of Entry [10]

9. Sanitary inspection services for plant products are available as follows:

a. In the customhouse at Callao and in the Lima post office by the Chief of the Division de Sanidad Vegetal of the Direccion de Agricultura.

b. In the customhouse and post office of the river port of Iquitos by an inspector designated by the Government; and

c. At other ports of the Republic when the Chief of the Division de Sanidad Vegetal, and technicians of the respective experiment stations and agricultural commissions can verify sanitary inspection to be available at such ports.

Inspection and Treatment on Arrival [11]

10. Once importations of seeds, cuttings, plants, and shrubs (see also par. 19 for fruits and vegetables) have been landed in Peru, the importer must take application for entry license, following which the importations will be subjected to one of the following four procedures:

a. The issuance of a simple import permit, when in the judgment of the Director de Agricultura the nature of the importation implies that the sanitary certificate provides adequate assurance against the introduction of pests.

b. A previous inspection, when the kind of imported plants may constitute danger to the national cultures.

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[7] Law No. 1221 of December 20, 1909.

[8] Supreme Decree of October 5, 1923, and Art. 388 of the Peruvian Consular Regulations, 1944.

[9] Supreme Resolution of September 30, 1910.

[10] Supreme Decree of June 13, 1914, as amplified by Supreme Decrees of September 28, 1914, and August 12, 1931.

[11] Decree of September 8, 1911.

c. Scientific disinfection, when the precautionary inspection establishes the necessity therefor.

d. Burning of the imported material when it comes from a place previously declared infested, or when it is shown by the inspection that the importation would endanger national cultures.

SPECIAL PROHIBITIONS AND RESTRICTIONS AGAINST IMPORTED PRODUCTS

Importation of Plant Products by Diplomatic Pouches Phohibited [12]

11. It is absolutely prohibited to import any class of seeds, plants, cuttings, or shrubs by means of pouches of the diplomatic service, even when the country from which they may come is deemed free of pests considered as dangerous.

Restrictions Governing the Importation of Cottonseed [13]

12. The entry of cottonseed (*Gossypium* spp.) in general into Peru is prohibited: *Provided*, That a maximum of 1 kilogram of seeds of each variety may be imported through the Division de Sanidad Vegetal of the Direccion de Agricultura by the Sociedad Nacional Agraria when accompanied by certificates issued by the United States Department of Agriculture attesting the seeds were grown in localities free of the pink bollworm (*Pectinophora gossypiella* Saund.). Farmers who wish to import cottonseed must present an application to the Direccion de Agricultura through the Sociedad Nacional Agraria.

Restrictions Governing the Importation of Sugarcane [14]

13. To prevent the introduction of mosaic diseases, the importation of sugarcane (*Saccharum officinarum* L.) cuttings or seed is not permitted, except by the Division de Sanidad Vegetal under the following conditions:

a. The cuttings or seed must originate in an experimental station, they must be accompanied by the sanitary certificates prescribed in paragraph 6, and the quantity of each variety must not exceed 25 kilograms.

b. The imported seed will be grown in quarantine for a period of 2 years in the Plant Quarantine Station.

Importation of Potatoes [15]

14. The Direccion de Agricultura does not grant permission to import potatoes from the United States of North America unless in exceptional cases and in quantities not to exceed 25 kilograms for each variety.

Importation of Banana Plants Prohibited [16]

15. The importation of banana plants (*Musa* spp.) or parts thereof (stalks, leaves, etc.) from all foreign countries is prohibited on account of the Panama disease (*Fusarium oxysporum* Schl. var. *cubense* (E. F. Sm.) Wn.).

The black weevil (*Cosmopolites sordidus* Germar.) has also been considered as cause for internal quarantine action in Peru. (Supreme Resolution No. 672., September 26, 1945.)

Importation of Coffee Prohibited [17]

16. The importation into and transit through the territory of the Republic of all coffee plants (*Coffea* spp.) or parts of plants including beans, is prohibited for all purposes to prevent the introduction of the coffee berry borer (*Stephanoderes hampei* (Ferr.)).

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[12] Supreme Decree of September 8, 1927.
[13] Supreme Resolutions of March 31, 1922, and November 9, 1928.
[14] Supreme Resolutions of June 5, 1925.
[15] Information supplied by Ing. J. Gaudron, January 24, 1950.
[16] Supreme Decree of January 3, 1936.
[17] Supreme Resolution of July 19, 1941.

Importation of Parasitic Insects Controlled [18]

17. The importation of natural parasitic insects into Peru may be effected solely by specialists of the Direccion de Agricultura, with the previous authorization of the Junta de Sanidad Vegetal in every case.

Importation of Fresh Fruits and Vegetables from the United States Prohibited, Except from the States of California, Oregon, and Washington [19]

18. As a temporary measure against the introduction of the Mediterranean fruitfly (*Ceratitis capitata* (Wied.)), the importation is prohibited of fresh fruits and vegetables from Central America, Antilles, Bermuda, Territory of Hawaii, and the United States of America, except from the States of California, Oregon, and Washington.

19. Importations of fruits from the States of California, Oregon, and Washington will be subject to the same measures prescribed for seeds and plants in paragraphs 5 to 10, inclusive.

20. The landing of fruits and other plant products in ships' stores from the prohibited countries will not be permitted.

21. Peruvian consuls in the United States will not visé invoices for products referred to in paragraph 18 unless a certificate of origin, issued by a competent official, is presented for legalization, and will refuse to legalize invoices in the case of products from the State of Florida.

22. Failure by the importer to present the certificate of origin prescribed in paragraph 21 will prevent the unloading of fruits and vegetables, and may cause the products concerned to be destroyed.

Importation of Plant Material by Airplane

23. No obstacle is placed in the way of the importation of seeds and plants by means of airplanes.

Restrictions Governing the Importation of Flaxseed [20]

24. The importation of Flaxseed (*Linum* spp.) is prohibited: Provided that importations are authorized by the Direccion de Agricultura to cover needs of planters engaged in flax culture, when made through the Campana de Fomento del Cultivo de Lino, subject to the following conditions:

a. A shipment must have been produced in a locality free of flax wilt (*Fusarium lini* Boll.) and be certified accordingly by official authorities of the country of origin; or a shipment must be accompanied by an official biological certificate declaring the consignment to be free of the aforesaid disease.

b. Imported seeds will be disinfected and fumigated in the Estacion de Sanidad Vegetal at the maritime terminal in the port of Callao, at the expense of the importer.

25. The Campana de Fomento del Cultivo de Lino is entrusted with the importation, distribution, and trading of imported seed, and with the enforcement of the regulations pertaining thereto.

Postal Shipments of Vegetable and Flower Seeds [21]

26. Advance permits are required from the Direccion de Agricultura for the importation of postal shipments of vegetable and flower seeds. The applications must include information regarding the variety of the seeds, quantity, place of origin and destination. The seeds to be imported must be accompanied by a certificate to the effect that they are free from insect pests and diseases. Inspection is made by agricultural authorities at Peruvian post offices before entry is permitted.

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[18] Supreme Resolution of July 19, 1941.
[19] Supreme Resolution of August 2, 1929, as amended by the Decree of December 11, 1930.
[20] Supreme Decree of June 3, 1942, as modified by Supreme Decrees No. 511 of September 23, 1943, and No. 612 of December 15, 1943.
[21] Par. 1, Dispatch No. 379, October 10, 1945, United States Embassy, Lima.

Grape Plants Placed Under Control [22]

27. The importation of grape plants or cuttings has been brought under the control of the State, so that a careful distribution of the different varieties may be made for their best adaptation to the various viticultural zones in Peru.

Importation of Citrus Plants Prohibited

28. The entrance into Peru of citrus plants and cuttings is prohibited as long as preventive measures for the control of the disease called "tristeza" are unknown. (Supreme Resolution No. 673, September 26, 1945.)

B. E. P. Q. 439, Revised.

February 14, 1950.

PLANT-QUARANTINE IMPORT RESTRICTIONS, KINGDOM OF SWEDEN

This revision of the plant-quarantine import restrictions of Sweden has been prepared for the information of nurserymen, plant quarantine officials and others interested in exporting plants and plant products to that country.

The revision was prepared by Richard Faxon, Division of Foreign Plant Quarantines, from a circular entitled "Directions for the Use of Exporters of Plants and Parts of Plants to Sweden" issued by the Government Plant Protection Institute in Sweden (1937), and other proclamations and decrees as noted. It has been reviewed by the Swedish plant protection officials.

The information contained in this circular is believed to be correct and complete up to the time of preparation, but it is not intended to be used independently of, nor as a substitute for, the original texts, and it is not to be interpreted as legally authoritative.

Avery S. Hoyt,
Acting Chief, Bureau of Entomology and Plant Quarantine.

BASIC LEGISLATION

Royal Proclamation of March 6, 1936.

SUMMARY

Importation Prohibited

Elms—All plants of the family Ulmaceae from any source.

Importation Restricted

Potatoes from America are permitted entry only by exceptional permission of the Plant Protection Institute under specified conditions.

Seeds or not extracted cones of forest trees or plants of alder, ash, aspen, birch, oak, spruce, linden, larch, maple, poplar, or pine, may be imported only by permission of the Royal Board of Forestry.

Living plants, scions, budwood, cuttings, bulbs, corms, tubers, roots, and fresh vegetables, must be accompanied by a certificate of inspection in prescribed form certified by a Swedish diplomatic or consular authority.

GENERAL REGULATIONS

Directions for the Use of Exporters of Plants and Parts of Plants to Sweden

The importation into Sweden of living plants or parts of plants belonging to any of the following categories is only permitted on certain conditions.

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[22] Supreme Resolution, August 10, 1945.

Living plants, scions, budwood, and cuttings. Exceptions: water plants intended for aquaria.

Flower bulbs; also bulbous corms and tubers of flowers.

Roots, not edible, not pulverized. Exceptions: rice roots and roots intended for medicinal purposes.

Roots, edible. Exceptions: chopped and dried roots, white beet, manioka, and arrowroot.

Vegetables, fresh. Exceptions: vegetables without roots or underground stem, including white cabbage, cauliflower, melons, cucumbers, asparagus, and tomatoes.

The above-enumerated plants and parts of plants may be imported into Sweden on the following conditions:

(1) That a certificate of the kind described below together with a specified invoice made out to the actual consignee (not the shipping agent or other agent), both in not less than two identical copies, is handed over to Statens Växtskyddsanstalt (the Government Plant Protection Institute), Experimentalfältet, Sweden, in sufficiently good time to enable them, after inspection and approval by the station, to be forwarded to the Customs authorities who should receive them not later than the time of arrival of the goods.

(2) That each separate parcel is marked with the mark and number given in the certificate and the invoice so as to indicate clearly that the goods are part of the consignment to which the certificate refers: in the case of goods arriving in a sealed railway van, only the mark and number of the van need be given in the certificate and invoice.

The certificate mentioned above must be issued within 15 days prior to the despatch of the goods, by an official plant inspector or other person qualified on the subjects of plant diseases and destructive insects, in the country of export, who is authorized by the State to issue such certificates and whose authority in this respect is certified by a Swedish diplomatic or consular authority in the country of export.

A. The certificate shall, unless otherwise ordered in certain cases (see B and C below) state—

(*a*) The name and address of the sender and consignee;

(*b*) The place where the plants were grown and name and address of the grower, if the products were not grown by the sender;

(*c*) The means of transport to Sweden and the port of customs at which the importation takes place;

(*d*) The number and kind of packages and their marks and numbers;

(*e*) The quantity and appellation of the goods;

(*f*) The date of issue of the certificates;

(*g*) The name, official standing, and address of the person issuing the certificate;

(*h*) That the plants or parts of plants are not affected by the diseases, parasites, or destructive insects mentioned in the list issued by the Royal Swedish Board of Agriculture on April 3, 1936 (see following list), and are otherwise in a healthy condition;

(*i*) That the Colorado beetle (*Leptinotarsa* (*Doryphora*) *decemlineata*), so far as is known, does not occur and has not occurred in the place where the plants or parts of plants were grown, nor within 20 kilometers' radius from that place.

B. Certificates for plants with attached roots or underground stems or parts of plants grown underground, shall in addition to the above state:

That the place where the plants were grown is free from infection by wart diseases of potatoes (*Synchytrium endobioticum*) and potato eelworm (*Heterodera Schachtii rostochiensis*) and that no discernible attack by these parasites occurs or has occurred during the last 10 years within a radius of not less than 5 kilometers from the place where the plants were grown.

C. Certificates referring to plants or parts of plants which are not sent direct from the place where they were grown, must, in addition to what is prescribed under A and B, state that the plants or parts of plants were stored in a place within a radius of 20 kilometers of which the Colorado beetle, so far as is known, does not occur and has not occurred, and within a radius of 5 kilometers of which wart disease or potato eelworm has not been observed during the past 10 years.

LIST OF PLANT DISEASES, INSECT PESTS, ETC.

(Notice of April 3, 1936)

Diseases

Bacillus amylovorus (Burr.) Trev., fire blight of apple and pear.
Bacterium (*Pseudomonas*) *hyacinthi* (Wakk.) E. F. Sm., yellow disease, bulb bacteriosis.
Bacterium (*Pseudomonas*) *tumefaciens* E. F. Sm. and Towns., crown-gall.
Botrytis tulipae (Lib.) Hopk., *narcissicola* Kleb., and *galanthina* (Berk. and Br.) Sacc., fire disease.
Cronartium ribicola Fischer, white pine blister-rust.
Cumminsiella sanguinea on Berberis and Mahonia—*Uropyxis mirabilissima.*
Didymella applanata (Niessl.) Sacc., canker on *Rubus idaeus.*
Erysiphe cichoracearum D C (*Oidium chrysanthemi* Rab.), powdery mildew.
Fusarium bulbigenum Cke. and Mass., dry bulb-rot.
Glomerella cingulata (Stonem.) Spauld. and Von Schr., bitter-rot.
Gnomonia erythrostoma Auersw., a cherry disease.
Gummosis.
Nectria galligena Bres., European canker, apple canker.
Nummularia discreta (Schwein.) Tul., canker of apple.
Oidium sp. on Begonia, a powdery mildew.
Oidium hortensiae Joerst., a powdery mildew of hydrangea.
Pestolazzia macrotricha Kleb., leafspot or blight of rhododendron and azalea.
Physalospora (*cydoniae*) *malorum* (Pk.) Shear, black-rot, frog-eye.
Phytophthora syringae Kleb., downy mildew.
Plowrightia morbosa (Schwein.) Sacc., black knot of plum and cherry.
Podosphaera leucotricha (Ell. and Everh.) Salm., apple powdery mildew.
Pseudomonas papulans Rose, blister spot.
Puccinia chrysanthemi Roze, chrysanthemum rust.
Rhizoctonia (*Sclerotinia*) *tuliparum* (Kleb.) Whetzel and Arthur, and *perniciosum* v. Slogt., gray bulb rot.
Sclerotinia bulborum (Wakk.) Rehm, onion and hyacinth sclerotinia.
Septoria azaleae Vog. die-back of twigs.
Sphaerotheca morszuvae (Schwein.) Burk and Curt., gooseberry mildew.
Venturia pyrina Aderh., pear scab.
Wilt.

Nematodes

Aphelenchoides (*Aphelenchus*) *fragariae* Ritz. Bos, nematode.
Aphelenchoides olesistus (Ritz. Bos) Goodey=*Aphelenchus ritzema-bosi* Schwartz.
Ditylenchus dipsaci (Kühn.) Filipjev, nematode of stem or bulb.

Insect Pests

Aspidiotus ostreaeformis Curt., European fruit scale.
Aspidiotus perniciosus Comst., San Jose scale.
Blastodacna putripenella Zell., an apple pit moth.
Bryobia praetiosa Koch, clover mite.
Dactylosphaera vitifolii Shim.
Diarthronomyia hypogaea Lw., chrysanthemum gall midge.
Dreyfusia nordmannianae Eckst., probably=*D. nüsslini* Borner on Abies.
Eryophyes avellanae Nal., hazelnut blister mite.
Eryophyes ribis Nal., currant bud mite, gall mite, or big bud.
Eryophyes vitis Nal., grape blister mite.
Gracilaria azaleella Brants, azalea leaf miner.
Lepidosaphes ulmi L. (*Mytilaspis pomorum*), oyster-shell scale, mussel scale.
Leptinotarsa decemlincata Say, Colorado potato beetle.
Merodon equestris Fab., narcissus bulb fly.
Orthezia insignis Dougl., greenhouse orthezia.
Pseudococcus spp. on greenhouse plants, a mealybug.
Rhizoglyphus echinopus F. & R. bulb mite.

(*Schizoneura*) *Eriosoma lanigera* Hausm., woolly apple aphid, American blight.

Stephanitis spp. on Rhododendron, lace bug.

Tarsonemus fragariae H. Zimm., strawberry mite.

Thrips, including Heliothrips, Parthenothrips, Scirtothrips, on greenhouse plants.

Trialeurodes vaporariorum Westw., greenhouse whitefly.

(*Xyleborus*) *Anisandrus dispar*. Fab., pear blight beetle, European shot-hole borer.

Potatoes from the United States

(Royal Decree of September 29, 1876)

In order to prevent the introduction of the Colorado potato beetle (*Leptinotarsa decemlineata* Say) into Sweden, the importation of potatoes from America is prohibited.

The Royal Communication of November 18, 1932, to the Government Plant Protection Institute authorizes that Institute to permit exceptions to the above prohibition, after examination of each case, and under conditions deemed necessary by the Institute.

Importation of Elms Prohibited

(Royal Proclamation of March 13, 1931)

The importation into Sweden of plants of the elm family, Ulmaceae, is prohibited until further notice.

Importations made in violation of this prohibition will not be released by customs, but will be reexported or destroyed at the expense of the owner.

Restrictions on the Importation of Seeds

(Royal Decree of February 3, 1909, as amended by decrees of March 18, 1921, November 24, 1922, and January 9, 1930, and the Royal Proclamation of April 4, 1910)

As a general rule a license from the Royal Department of Agriculture is required for the importation of all seeds, except the seeds of some ornamental plants including palms.

The following seeds, when permitted entry by the Department of Agriculture, should be shipped in sacks plainly marked on the outside with the words "utlandskt fro" (foreign seeds): Yellow trefoil (*Medicago lupulina* L.), alsike clover (*Trifolium hybridum* L.), red clover (*Trifolium pratense* L.), white clover (*Trifolium repens* L.), orchard grass (*Dactylis glomerata* L.), meadow fescue (*Festuca elatior* L.), perennial ryegrass (*Lolium perenne* L.), Italian ryegrass (*Lolium multiflorum* L.), bromegrass (*Bromus arvensis* L.), timothy (*Phleum pratense* L.), rape (*Brassica napus* L.), turnips (*Brassica rapa* L.), carrots (*Dacus carota* var. *sativa* L.), beets (*Beta vulgaris* L.), and also pine and spruce seeds, except *Pinus cembra* and *P. cembra* var. *sibirica*.

Restrictions on the Importation of Tree Seedlings, etc.

(Royal Proclamation No. 446 of June 3, 1949)

Seeds or not extracted cones of forest trees or plants of alder, ash, aspen, birch, beech, oak, spruce, linden, larch, maple, poplar, or pine, may not be imported into Sweden without permission from the Royal Board of Forestry. In transit shipments or temporary storage in a Swedish free harbor are permitted subject to Swedish customs control.

TERMINAL INSPECTION OF PLANTS AND PLANT PRODUCTS

FLORIDA STATE PLANT QUARANTINES AND TERMINAL INSPECTION

Under an existing Florida State quarantine, on account of the citrus canker, notice of which has been previously published, the movement into Florida of

citrus plants, including budwood and scions, is prohibited from any other State or the District of Columbia, unless the shipment is accompanied with a certificate of inspection issued by the Bureau of Plant Industry, Soils and Agricultural Engineering, United States Department of Agriculture, or a permit issued by the Florida State Plant Board. This quarantine does not affect the movement of citrus fruit.

A new Florida State quarantine, on account of the sweetpotato weevil, prohibits the mailing within the State of sweetpotatoes, sweetpotato vines, cuttings or draws, from post offices located in that portion of Florida lying east and south of Hamilton, Madison, and Jefferson Counties (but not within these counties), to any other part of Florida.

The list of plants and plant products, subject to terminal inspection in Florida, is hereby revised to include sweetpotatoes and sweetpotato plants when mailed within the State or when moving interstate to any point in Florida, as follows:

Trees, shrubs and vines (except soft-bodied plants other than sweetpotato plants) or any part thereof.

NOTE.—Shrubs and vines of a woody nature such as rose bushes, hibiscus, grapevines, blackberry vines, etc., are subject to inspection. Bedding plants (such as coleus and pansy), vegetable plants (such as cabbage and tomato), and strawberry plants are not subject to inspection.

Terminal inspection is made at the following places in Florida: Gainesville, Jacksonville, Miami, Pensacola, Tampa, and West Palm Beach.

(Reprint of notice which appeared in the Postal Bulletin of January 17, 1950.)

PENALTIES IMPOSED FOR VIOLATIONS OF PLANT QUARANTINE ACT

According to reports received by the Bureau during the period January 1 to March 31, 1950, penalties have recently been imposed by the proper authorities for violations of the Plant Quarantine Act as follows:

QUARANTINES AFFECTING MEXICAN PRODUCTS

In the case of the United States versus the persons listed below, for attempting to smuggle in contraband material, the penalties indicated were imposed by the United States customs officials at the following ports:

Name	Port	Contraband	Penalty
Noe Marcha	Brownsville, Tex.	1 potted plant	$1.00
Maria Ramirez	do	6 Maguey plants and 1 lemon tree seedling.	3.50
Julian Cantu	do	2 avocados with seed	2.00
Andres L. Duran	do	10 plants	2.00
Sotero Luna	do	4 oranges and 3 avocados	1.00
Zoila Cavazos	do	3 rose bushes	1.00
Estefina Ontiveras de Lozano	do	6 bulbs and 6 cuttings	1.00
Mrs. Petra Ortega	do	4 lemon grass plants	1.00
Angela Castillo	do	18 roots (unknown species)	2.25
Jesus A. Ramirez	do	1 orange	1.00
Zulema Lopez de Saldana	do	1 tangerine	1.00
Telesforo Delgado	do	do	1.00
Donald M. Dykhouse	do	6 sugarcane nodes	1.00
Ireya Robey	do	2 apples	1.00
Francisco Tijerina	do	do	1.00
Genevia Montelargo	do	2 oranges	1.00
Manuela Nerio Vda. de Gonzalez	do	6 geranium plants and 1 sweet lime	.50
Matilda Vda. de Cuevos	do	2 avocados with seed	1.00
Mrs. Treva Inglehart	do	4 bulbs and 6 plants	1.00
Albert Skinner	do	2 oranges	1.00
Felix Luna	do	4 ounces tree seed and 1 sapote	1.00
Jesse G. Luna	do	3 mameys, 1 melon, and 4 ounces tree seed.	2.00
Carlos N. Leija	do	10 plants and 2 mango seeds	1.00
Soledad Briseno	Eagle Pass, Tex.	4 plants	1.00
Frank Alvorado	do	10 oranges and 2 apples	2.00
Francisco Santos	do	4 oranges	1.00

Name	Port	Contraband	Penalty
Elvira Martinez Vda. de Gonzalez	Eagle Pass, Tex	1 plant	$1.00
Guadalupe Vela	do	12 plants	1.00
Ricardo Prieto	do	2 sweet limes	1.00
Leocardio Duran	do	1 orange	1.00
Raquel Sapien	do	1 plant	1.00
Refugia Rodriguez	do	1 sweet lime	1.00
Celestino Seneno	do	7 avocados	1.00
Ramon Armendar	do	5 plants	1.00
Refugia Perez	do	do	1.00
Guillermo Castellanas	do	4 avocados and 6 oranges	1.00
Adela Morales Vda. Flores	do	1 orange	1.00
Lauro Bustamante	do	9 mangoes	1.00
George Jaramilla	do	6 plants	1.00
Octavio Arrellano	El Paso, Tex	4 oranges	1.00
Ramon Corona	do	2 oranges	1.00
Juana Flores	do	1 orange	1.00
Alvarez Ramirez	do	do	1.00
Francisco S. Villalobos	do	do	1.00
Ramon Perea	do	1 apple	1.00
Alberto A. Acosta	do	1 tangerine	1.00
Francisco M. Nava	do	1 pear	1.00
Pete Portillo	do	34 sugarcane nodes	1.00
Engrecia Villalobos Aragon	do	2 oranges	1.00
Medina de Costro Isidra	do	50 thornapples	1.00
Andres Aguirre	do	2 mameys	1.00
Isabel Gutierrez	do	5 avocados with seed and 6 sugarcane nodes.	2.00
Rutilo Meros	do	3 apples and 2 oranges	1.00
Jose Camache	do	1 apple and 1 orange	1.00
Maria Vega de Jaquez	do	6 dahlia tubers and 2 lily bulbs	1.00
Juana Talamantes	do	1 plant	1.00
Isidro Morado	do	do	1.00
Encarnacion Morada	do	1 apple	1.00
Louis Suarez	do	20 guavas	2.00
Manuel Medina	do	1 orange	1.00
Oscar Cobea	do	do	1.00
Rafael Gomez	do	do	1.00
Francisco Barron	do	do	1.00
Angel Nunez	do	do	1.00
Maria O de la Torre	do	1 orange and 1 apple	1.00
Antonio Mendez	do	2 oranges	.50
Carmen Lesayo	do	1 avacado seed and 1 sugarcane node	1.00
Maria Garcia de Rodarte	do	3 mangoes	1.00
Eulalia Reyna	Hidalgo, Tex	11 guavas	1.00
Celia Savier de Barrajas	do	4 plants	1.00
Guadalupe Garza Barrera	do	2 oranges	1.00
Jose Longoria	do	100 sugarcane nodes	2.00
W. W. Croll	do	6 grapefruit, 3 oranges, and 28 tangerines.	1.00
Juan Blake	do	5 oranges	1.00
Margarita Chapa	do	3 avocados	1.00
Jesus Alcorta Pena	do	3 tangerines	1.00
Elisa Pena Vda. Pena	do	1 mango	1.00
Raquel Vela	do	2 plants	1.00
Cosme Salinas Garcia	do	2 oranges	1.00
Maria Dolores Pena	do	6 plants	1.00
Esvita Rodriguez	do	do	1.00
H. D. Reich	do	7 apples and 1 orange	1.00
Bernardino Castillo	do	8 oranges	1.00
Lawrence B. Sykara	do	1 plant	1.00
Santos Hernandez	do	do	1.00
Irene Cortez Gomez	do	do	1.00
Dolores Martinez	do	12 plants	2.00
Ludwig Holmes	do	4 mangoes and 2 pears	1.00
Francisca Martinez	do	3 plants	1.00
Earl Hunter	do	1 grapefruit	1.00
Joseph Perez	Laredo, Tex	1 tangerine	1.00
Lilia Gonzalez	do	1 orange	1.00
Mrs. Carmen Garza	do	1 orange and 1 avocado	1.00
Dovaciano Limon	do	1 plant	1.00
John Pedraza	do	2 plants	1.00
Gregorio Salinas	do	2 cactus plants	1.00
Francisco Sanchez	do	3 mangoes	1.00
Antonio Martinez	do	2 avocado seeds	1.00
Constantino Quesada	do	31 red haws	1.00
Francisca Prada de Rosales	do	2 mamey seeds, 2 plants and 2 red haws	1.00
Albert Torres	do	13 oranges and 10 apples	1.00
Mrs. Ascension L. de Perez	do	2 plants and 3 cuttings	1.00
Isidoro Castillya	do	2 plants	1.00
Felipe Alvera Alvarado	do	2 bulbs	1.00
Jose Yantz	do	1 plant	1.00
Lucine C. de Botello	do	2 oranges	1.00

Name	Port	Contraband	Penalty
Mr. Christensen	Laredo, Tex.	3 mangoes	$1.00
Rodolfo Cea	do	5 orchid plants	1.00
Maria de Faz Chavez	do	2 plants	1.00
Seraffin Magano	do	33 guavas, 7 oranges, 6 dahlia bulbs, 3 tangerines, ½ pound citrus leaves, 3 sugarcane nodes, and 21 orchid plants	12.60
Alfredo Salinde	do	7 plants and 4 bulbs	1.00
Jesus Saldana	do	4 oranges, 9 tangerines, and 6 plants	1.00
Lucio Derly Inclon	do	4 oranges	1.00
Mrs. Luz Urbina	do	5 plants and 5 sweet limes	2.00
Jargina Martinez Zamora	do	4 plants	1.00
Joe A. Aragon	do	6 tangerines and 2 oranges	1.00
Basilia de Corpus de Maldonado	do	1 cactus plant and 1 fig cutting	1.00
R. G. Lopez	do	2 plants	2.00
Maria Mendez de Contreras	do	6 plants and 3 bulbs	1.00
Maria Mendez de Contreras	do	8 plants	1.00
Jose Reymundo Avila	do	1 plant	1.00
Miguel Menchaca	do	5 avocados with seed, 1 mamey, 1 avocado seed, 9 mangoes, and 6 oranges.	4.00
Matias Martinez	do	2 mangoes and 1 orange	1.00
Emeteria D. de Sotoyo	do	12 plants and 1 orange	1.00
Maria Torres de Gamez	do	16 geranium plants and 7 plant bulbs	2.30
Alfredo Castillo	do	¼ pound citrus leaves and 1 cutting	1.00
Julia Arredondo	do	3 plants	1.00
Paula Garcia de Moreno	do	1 mango seed	1.00
Perfecta Villarreal de Ayala	do	4 mangoes and 12 guavas	2.00
James Arriet	do	5 oranges	1.00
Josephina Charez Mani	do	1 orange	1.00
Magdelino Lucio	do	do	1.00
Roman Velasquez	do	4 mangoes	1.00
Olivia Garza	do	do	1.00
Gregoria Elias de Segura	do	5 plants	1.00
Jose Angel Badillo	do	1 mango	1.00
Dora Corrales	do	5 mangoes	1.00
A. E. de Rosales	do	2 mangoes and 1 mamey	1.00
Dionicia Marquez	do	2 mangoes	1.00
Apolinar Castro	do	2 plants	1.00
Carmen Orozco	San Antonio, Tex.	6 apples	1.00

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*Died March 29, 1950.

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